




Docket No.: M0975.70006US00
(PATENT)

AF
EPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Roberts
Serial No.: 09/775909
Confirmation No.: 9660
Filed: February 2, 2001
For: NON-TOXIC DOUBLE MUTANT FORMS OF PERTUSSIS TOXIN
AS ADJUVANTS
Examiner: P. A. Duffy
Art Unit: 1645

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| Certificate of Mailing Under 37 CFR 1.8(a) | |
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Dated: 1/17/06 |  June M. Watson |

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:


Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Information Disclosure Statement;
2. PTO-1449 Form with cited references; and
3. Return Receipt Postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. M0975.70006US00. A duplicate copy of this paper is enclosed.

Dated: January 17, 2006

Respectfully submitted,

By 
John R. Van Amsterdam, Reg. No. 40,212
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000



DOCKET NO.: M0975.70006US00

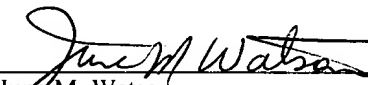
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Examiner: Patricia Ann Duffy
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17th day of January, 2006.



June M. Watson

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

Serial No.: 09/775,909
Conf. No.: 9660


- 3 -

Art Unit: 1645

An early and favorable action is hereby requested.

Respectfully submitted,

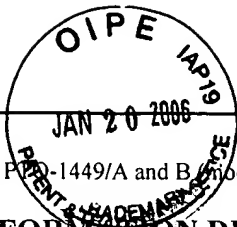
By:


John R. Van Amsterdam, Reg. No. 40,212
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600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: M0975.70006US00

Date: January 17, 2006

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FORM PTO-1449/A and B (modified PTO/SB/08)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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|--------------|-------------------------------|-----------------------------------|
| Sheet 1 of 1 | APPLICATION NO.: 09/775,909 | ATTY. DOCKET NO.: M0975.70006US00 |
| | FILING DATE: February 2, 2001 | CONFIRMATION NO.: 9660 |
| | APPLICANT: Mark Roberts | |
| | GROUP ART UNIT: 1645 | EXAMINER: Patricia Ann Duffy |

U.S. PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or Issue of Cited Document MM-DD-YYYY |
|--------------------------|-------------|----------------------|--------------|--|---|
| | | Number | Kind Code | | |
| | | 5,085,862 | | Klein et al. | 02-04-1992 |
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FOREIGN PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|--------------------------|-------------|-------------------------|--------|--------------|--|---|----------------------|
| | | Office/ Country | Number | Kind Code | | | |
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials # | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|--------------------------|------------|---|----------------------|
| | | RAPPUOLI et al., "Recombinant acellular pertussis vaccine – from the laboratory to the clinic: improving the quality of the immune response," (1992) <i>FEMS Microbiology Immunology</i> 105: 161- 170. | |
| | | MARSILI et al., "Cellular Pertussis Vaccine Containing a <i>Bordetella pertussis</i> Strain That Produces a Nontoxic Pertussis Toxin Molecule," (1992) <i>Infection and Immunity</i> 60(3): 1150-1155. | |
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|-----------|------------------|
| EXAMINER: | DATE CONSIDERED: |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]